



ADMINISTRATIVE RULES OF MONTANA

24.174.840 ELECTRONIC TRANSMISSION OF PRESCRIPTIONS

- (1) Unless otherwise prohibited by law, an electronic prescription may be transmitted from the prescriber or an authorized agent directly to the dispensing pharmacy and must contain all information required by state and federal law.
- (2) Electronic prescriptions for Schedules II through V controlled substances shall comply with DEA requirements, as outlined in 21 CFR 1311.120, and any security or other requirements of federal law.
- (3) All electronic prescriptions shall comply with all security requirements of state and federal law related to privacy of protected health information.
- (4) A pharmacy receiving an electronic prescription shall maintain the prescription record in accordance with ARM 24.174.833.
- (5) An electronic prescription shall be transmitted only to the pharmacy of the patient's choice.
- (6) Computer-generated, electronically signed prescriptions for controlled substances that are handed directly to a patient or to a patient's agent, or faxed to a pharmacy, must contain the actual signature of the prescriber, and comply with prescription requirements outlined in ARM 24.174.831 if a hard copy prescription. Computer-generated, electronically signed prescriptions for noncontrolled substances do not require an additional wet signature.

Authorizing statute(s): 37-7-201, 50-32-103, MCA

Implementing statute(s): 37-1-101, 37-7-102, 37-7-201, 50-32-208, MCA

History: NEW, 1995 MAR p. 2689, Eff. 12/8/95; AMD, 2002 MAR p. 178, Eff. 2/1/02; TRANS, from Commerce, 2002 MAR p. 904; AMD, 2006 MAR p. 1615, Eff. 6/23/06; AMD, 2010 MAR p. 74, Eff. 1/15/10; AMD, 2012 MAR p. 896, Eff. 4/27/12; AMD and TRANS, from ARM 24.174.523, 2015 MAR p. 302, Eff. 3/27/15; AMD, 2024 MAR p. 2219, Eff. 9/21/24.